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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,466	09/28/2001	Hirofumi Shimuzu	214592US2S	1772

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

CHANG, KENT WU

ART UNIT PAPER NUMBER

2673

DATE MAILED: 08/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/964,466

Applicant(s)

SHIMUZU, HIROFUMI

Examiner

Kent Chang

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4/1, 4/3, 5, 7, 8/5, 8/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi (US Patent No. 6,141,568).

Consider claims 1 and 5. Sakaguchi discloses a communication terminal apparatus (radio telephone) capable of receiving information from a communication system network, comprising: receiving means for receiving information from the network; a display configured to display information; illumination means for illuminating the display; a detector configured to detect completion of information reception by the receiving means (the processor); display control means for causing the display to display information received by the receiving means, when the detector has detected the completion of the information reception. Sakaguchi also teaches "when the portable radio apparatus is kept without being used, when it is ready for receiving or transmitting a radio signal, and when the user does not look at the image display section. Thus, it is desirable that a backlight is turned off by means of turning-off means in the above cases so as to save the power of the battery. It is more desirable that the use state information is not displayed to save the battery

power while the information is unnecessary" (see column 1 lines 23-49). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to turn on the backlight of the display device after completion of the transmission so as to enable the user to see the received information.

Consider claims 3 and 7. Sakaguchi discloses a communication terminal apparatus (radio telephone) capable of receiving information from a communication system network, comprising: receiving means for receiving information from the network; a display configured to display information; illumination means for illuminating the display; a detector configured to detect completion of information reception by the receiving means (the processor); display control means for causing the display to display information received by the receiving means, when the detector has detected the completion of the information reception. Sakaguchi also teaches "when the portable radio apparatus is kept without being used, when it is ready for receiving or transmitting a radio signal, and when the user does not look at the image display section. Thus, it is desirable that a backlight is turned off by means of turning-off means in the above cases so as to save the power of the battery. It is more desirable that the use state information is not displayed to save the battery power while the information is unnecessary" (see column 1 lines 23-49). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to turn on the backlight of the display device after completion of the transmission so as to enable the user to see the received information. Furthermore, it would have been obvious for one of ordinary skill in the art at the time of the invention to only turn on the

backlight within a predetermined time period in which the user is using (or waiting to use) the device so as to further save power by not turning on the backlight after a long time period and the user is no longer interesting in reading the received information.

Consider claims 4/1, 4/3, 8/5, and 8/7. It would have been obvious for one of ordinary skill in the art at the time of the invention to use a beep sound to inform the user of the completion of the information reception so as to provide a user friendly device.

3. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi (US Patent No. 6,141,568).

Sakaguchi discloses a communication terminal apparatus (radio telephone) capable of receiving information from a communication system network, comprising: receiving means for receiving information from the network; a display configured to display information; illumination means for illuminating the display; a detector configured to detect completion of information reception by the receiving means (the processor); display control means for causing the display to display information received by the receiving means, when the detector has detected the completion of the information reception. Sakaguchi also teaches "when the portable radio apparatus is kept without being used, when it is ready for receiving or transmitting a radio signal, and when the user does not look at the image display section. Thus, it is desirable that a backlight is turned off by means of turning-off means in the above cases so as to save the power of the battery. It is more

desirable that the use state information is not displayed to save the battery power while the information is unnecessary" (see column 1 lines 23-49). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to turn on the backlight of the display device after completion of the transmission so as to enable the user to see the received information. Sakaguchi is silent in using a luminous level detector.

However, Yoshinori teaches to use a light detector for detecting the surrounding brightness level of a display device and turn off the display when the surrounding brightness level is high. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to use a light detector for detecting the surrounding brightness level of a display device and turn off backlight of the display when the surrounding brightness level is high as taught by Yoshinori in the device of Sakaguchi so as to save power.

Consider claims 4/2 and 8/6. It would have been obvious for one of ordinary skill in the art at the time of the invention to use a beep sound to inform the user of the completion of the information reception so as to provide a user friendly device.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yoshida (US Patent No. 5,717,744) teaches a communication apparatus having sound generating means for informing the user of the end of the data transmission.

Shimizu (US Patent No. 5,589,848) teaches a control circuit for turning off the light of a display a predetermined time after the display of the processing result on the display device.

### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Chang whose telephone number is 703-305-4824. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at 703-305-4938.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 305-9700.



Kent Chang  
Primary Examiner  
Art Unit 2673

Kc

6/28/03